

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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USCA Docket Number:

USDC Docket Number : 05-cv-10245

Nkem Echem

v.

John Ashcroft

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**CLERK'S CERTIFICATE**

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 4/29/05.

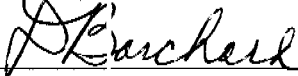
In testimony whereof, I hereunto set my hand and affix the seal of this Court on May 3, 2005.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 5/3/05.



Deputy Clerk, US Court of Appeals

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Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: \_\_\_\_\_

## APPEAL, HABEAS

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:05-cv-10245-JLT**

Echem v. Ashcroft  
Assigned to: Judge Joseph L. Tauro  
Cause: 28:1651 Petition for Writ of Habeas  
Corpus

Date Filed: 02/08/2005  
Jury Demand: None  
Nature of Suit: 530 Habeas  
Corpus (General)  
Jurisdiction: Federal Question

**Petitioner****Nkem Echem**

represented by **Osamwonyi E. Osagiede**  
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*LEAD ATTORNEY  
ATTORNEY TO BE  
NOTICED*

V.

**Respondent****Attorney General John  
Ashcroft****Respondent****Bruce E. Chadbourne**

represented by **Frank Crowley**  
Immigration and Customs

Enforcement, Dept. of  
Homeland Secur  
PO Box 8728  
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Boston, MA 02114  
617-565-2415  
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Frank.Crowley@dhs.gov  
*ATTORNEY TO BE  
NOTICED*

Date Filed	#	Docket Text
02/08/2005	<u>1</u>	PETITION for Writ of Habeas Corpus (2241) \$ 5, receipt number 61928, filed by Nkem Echem.(Abaid, Kim) Additional attachment(s) added on 2/9/2005 (Abaid, Kim). (Entered: 02/09/2005)
02/08/2005	<u>2</u>	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to the New Magistrate Judge. (Abaid, Kim) (Entered: 02/09/2005)
02/08/2005	<u>2</u>	MEMORANDUM OF LAW by Nkem Echem in Support of <u>1</u> Petition for Writ of Habeas Corpus (2241). (Abaid, Kim) (Entered: 02/09/2005)
02/08/2005	<u>3</u>	MOTION to Stay Removal and/or Deportation by Nkem Echem.(Abaid, Kim) (Entered: 02/09/2005)
02/08/2005	<u>4</u>	AFFIDAVIT in Support re <u>3</u> MOTION to Stay Removal and/or Deportation. (Abaid, Kim) (Entered: 02/09/2005)
02/08/2005	<u>5</u>	MOTION to Allow Further Evidence in Support of <u>1</u> Petition for Writ of Habeas Corpus by Nkem Echem. (Abaid, Kim) (Entered: 02/09/2005)
02/08/2005	<u>8</u>	EXHIBITS 7-10 previously filed but undocketed re <u>1</u>

		Petition for Writ of Habeas Corpus (2241) by Nkem Echem. (Attachments: # <u>1</u> Exhibit 8# <u>2</u> Exhibit 9 part 1# <u>3</u> Exhibit 9 part 2# <u>4</u> Exhibit 10)(Abaid, Kim) (Entered: 03/16/2005)
02/08/2005	<u>99</u>	NOTICE of Appearance by Osamwonyi E. Osagiede on behalf of Nkem Echem (Abaid, Kim) (Entered: 03/16/2005)
03/07/2005	<u>96</u>	MOTION to Dismiss for Lack of Jurisdiction by Bruce E. Chadbourne.(Crowley, Frank) (Entered: 03/07/2005)
03/07/2005	<u>97</u>	MEMORANDUM in Support re <u>6</u> MOTION to Dismiss for Lack of Jurisdiction , <i>Return, and Opposition to Stay Request</i> filed by Bruce E. Chadbourne. (Attachments: # <u>1</u> Exhibit Attachment A# <u>2</u> Exhibit Attachment B# <u>3</u> Exhibit Attachment C# <u>4</u> )(Crowley, Frank) (Entered: 03/07/2005)
03/24/2005	<u>10</u>	Judge Joseph L. Tauro : ORDER entered. REFERRING CASE to Magistrate Judge Robert B. Collings Referred for: Report and Recommendations on Motions <u>3</u> , <u>5</u> , and <u>6</u> .(Abaid, Kim) (Entered: 03/24/2005)
03/28/2005	<u>11</u>	Judge Robert B. Collings : REPORT AND RECOMMENDATIONS re <u>6</u> MOTION to Dismiss for Lack of Jurisdiction filed by Bruce E. Chadbourne, Recommendation: Motion to Dismiss be ALLOWED; Objections to R&R due by 4/11/2005.(Dolan, Kathleen) (Entered: 03/28/2005)
03/28/2005	<u>12</u>	Judge Robert B. Collings : REPORT AND RECOMMENDATIONS re <u>3</u> MOTION to Stay filed by Nkem Echem, Recommendation: Motion be DENIED; Objections to R&R due by 4/11/2005. (Dolan, Kathleen) (Entered: 03/28/2005)
03/28/2005	<u>13</u>	Judge Robert B. Collings : REPORT AND RECOMMENDATIONS re <u>5</u> MOTION to Allow

		Further Evidence in Support of <u>1</u> Petition for Writ of Habeas Corpus filed by Nkem Echem, Recommendation: Motion to Allow Further Evidence be DENIED; Objections to R&R due by 4/11/2005. (Dolan, Kathleen) (Entered: 03/28/2005)
03/28/2005	•	Case no longer referred to Magistrate Judge Robert B. Collings. (Dolan, Kathleen) (Entered: 03/28/2005)
04/11/2005	• <u>14</u>	Opposition re <u>6</u> MOTION to Dismiss for Lack of Jurisdiction filed by Nkem Echem. (Abaid, Kim) (Entered: 04/11/2005)
04/12/2005	• <u>15</u>	REPLY TO OBJECTION to <u>11</u> Report and Recommendations filed by Bruce E. Chadbourne. (Crowley, Frank) (Entered: 04/12/2005)
04/20/2005	•	Judge Joseph L. Tauro : Electronic ORDER entered. ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>6</u> Motion to Dismiss/Lack of Jurisdiction filed by Bruce E. Chadbourne,, <u>11</u> Report and Recommendations Action on motion: (Abaid, Kim) (Entered: 04/21/2005)
04/20/2005	•	Judge Joseph L. Tauro : Electronic ORDER entered. ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>12</u> Report and Recommendations, <u>3</u> Motion to Stay filed by Nkem Echem, Action on motion: Motion is Denied.(Abaid, Kim) (Entered: 04/21/2005)
04/20/2005	•	Judge Joseph L. Tauro : Electronic ORDER entered. ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>5</u> Motion for Miscellaneous Relief filed by Nkem Echem,, <u>13</u> Report and Recommendations, Action on motion: Motion is Denied.(Abaid, Kim) (Entered: 04/21/2005)
04/29/2005	• <u>16</u>	NOTICE OF APPEAL as to Order Adopting Report and Recommendations by Nkem Echem. \$ 255, receipt number 63874 NOTICE TO COUNSEL: A

		Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 5/19/2005. (Abaid, Kim) (Entered: 05/02/2005)
04/29/2005	<u>17</u>	NOTICE of Appearance by Osamwonyi E. Osagiede on behalf of Nkem Echem (Abaid, Kim) (Entered: 05/02/2005)